



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

बुधवार, 03 अक्तूबर, 2018 / 11 आश्विन, 1940

हिमाचल प्रदेश सरकार

AGRICULTURE DEPARTMENT

NOTIFICATION

Shimla-2, the 22nd September, 2018

No. Agr.F(8)-5/2012-Kullu & Lahaul Spiti.—In supersession of this department notification of even No., dated 20th September, 2018, the Governor Himachal Pradesh, in exercise of the powers conferred by sub-section (1) (2) (3) of Section 30 of the Himachal Pradesh

Agricultural and Horticulture Produce Marketing (Development and Regulation) Act, 2005, (Act No. 20 of 2005), is pleased to constitute the Agricultural Produce Market Committee, Kullu & Lahaul Spiti, H. P. with immediate effect. The following will be its Ex-Officio/Non-Official members :—

A. Ex-Officio Members :

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| 1. Deputy Commissioner, Kullu, H.P. | .. Vice-Chairman |
| 2. Deputy Director, Agriculture, Kullu, H.P. | .. Member |
| 3. Deputy Director, Horticulture, Kullu, H.P. | .. Member |
| 4. Deputy Director, Animal Husbandry, Kullu, H.P. | .. Member |
| 5. Incharge, Krishi Vigyan Kendra, Kullu & Lahaul Spiti, H.P. | .. Member |
| 6. Secretary, Market Committee, Kullu, H.P. | .. Member |

B. Non-Official Producer Members :

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| 1. Sh. Kamlesh Roshan s/o Sh. Sher Singh, r/o Village Deori, P.O. Lalwari, Tehsil Banjar, Distt. Kullu, H. P. | .. Member |
| 2. Sh. Chobey Ram, r/o Vill. Bhrahaman Behar, P.O. Bajaura, Tehsil Bhunter, Distt. Kullu, H.P. | .. Member |
| 3. Sh. Amar Thakur, V.P.O. Poeg (Puyag), Tehsil Anni, Distt. Kullu, H.P. | .. Member |
| 4. Sh. Yogesh Bhargav, V.P.O. Nirmand, Tehsil Nirmand, Distt. Kullu, H.P. | .. Member |
| 5. Sh. Thakur Chand s/o Late Sh. Talve Ram, Village Rashket, P.O. Manikaran, Tehsil Bhunter, Distt. Kullu, H.P. | Member |
| 6. Sh. Amit Sood C/o Sumit Traders, Ramshilla Bazar, Distt. Kullu, H.P. | Member |
| 7. Sh. Inder Singh Premi s/o Sh. Sobha Ram, Village Gurdour, P.O. Larakalon, Tehsil & Distt. Kullu, H. P. | .. Member |
| 8. Sh. Mohinder Thakur, Village Madgran, P.O. Udaipur, Sub-Tehsil Udaipur, Distt. Lahaul & Spiti. | .. Member |
| 9. Sh. Padma Namgial, V.P.O. Gemour, Tehsil Keylong, Distt. Lahaul & Spiti, H.P. | .. Member |

C. Non-Official Trader Member :

- | | |
|--|------------------|
| 1. Sh. Sharv Negi (Sharabh Chander Negi), r/o Village Nangawag, P.O. Raison, Tehsil & Distt. Kullu, H.P. | .. Trader-Member |
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- The above Committee shall conduct its business subject to the provisions of the above Act.

Term of Office :

- Every non-official member shall hold the office during the pleasure of State Government. The term of an Ex-Officio member of the committee shall come to an end, as soon as he ceases to hold the office by virtue of which he was nominated.
- The committee shall elect from amongst its members a Chairman.
- The non-official members shall be entitled to TA/DA as per Government rules.

By order,
Sd/-
Principal Secretary (Agr.).

OFFICE OF MUNICIPAL COUNCIL NAHAN, DISTRICT SIRMAUR (H. P.)

(Door-To-Door Garbage Collection & Disposal Bye-Laws, 2018)

NOTIFICATION

Nahan-173 001, the 11th September, 2018

No. SI/MC Nahan/byelaws/MSW/2018-2458.—The following Bye-laws made by Municipal Council Nahan for regulating The **Door-to-Door Garbage Collection & Disposal-2018** in exercise of the powers conferred by section 202 and 217 of the Himachal Pradesh Municipal Act, 1994 (Act No. 12 of 1994) read with rule 15 (zf) of the Solid Waste Management Rules, 2016 having been confirmed by State enforcement, as required under section 217 of the aforesaid Acts are here by published for general information, namely :—

BYE-LAWS TO REGULATED DOOR-TO-DOOR GARBAGE COLLECTION & DISPOSAL OF MUNICIPAL COUNCIL, NAHAN, DISTRICT SIRMAUR (H.P.)

CHAPTER-I

General

1. Short title and commencement.—(a) These Bye-laws may be called The **Door-to-Door Garbage Collection and Disposal bye-laws, 2018 of Municipal Council Nahan** for municipal solid waste management & disposal.

(b) These bye-laws shall come into force on the date of their adoption and publication in the Rajpatra the gazette of Himachal Pradesh Government.

(c) This shall apply to Nahan municipal area.

2. Definitions.—In these rules, unless the context otherwise requires,—

(A) “**act**” means the Himachal Pradesh Municipal Corporation Act, 1994 and Himachal Pradesh Municipal Act, 1994;

- (B) **“bulk waste generator”** means and includes buildings occupied by the Central government departments or undertakings, State government departments or undertakings, local bodies, public sector undertakings or private companies, hospitals, nursing homes, schools, colleges, universities, other educational institutions, hostels, hotels, commercial establishments, markets, places of worship, stadia and sports complexes having an average waste generation rate exceeding 100 kg. per day;
- (C) **“bye-laws”** means regulatory framework notified by local body, census town and notified area townships for facilitating the implementation of these rules effectively in their jurisdiction.
- (D) **“composting”** means a controlled process involving microbial decomposition of organic matter;
- (E) **“disposal”** means the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land as specified in Schedule I to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds;
- (F) **“domestic hazardous waste”** means discarded paint drums, pesticide cans, CFL bulbs, tube lights, expired medicines, broken mercury thermometers, used batteries, used needles and syringes and contaminated gauge, *etc.*, generated at the household level;
- (G) **“door to door garbage collection”** means collection of solid waste from the door step of households, shops, commercial establishments, offices, institutional or any other non-residential premises and includes collection of such waste from entry gate or a designated location on the ground floor in a housing society, multi storied building or apartments, large residential, commercial or institutional complex or premises;
- (H) **“dry waste”** means waste other than biodegradable waste and inert street sweepings and includes recyclable and non-recyclable waste, combustible waste and sanitary napkin and diapers, *etc.*;
- (I) **“dump sites”** means a land utilised by local body for disposal of solid waste without following the principles of sanitary land filling;
- (J) **“fine/penalty”** means penalty imposed on waste generators or operators of waste processing and disposal facilities under the bye-laws for non-compliance of the directions contained in these or bye-laws;
- (K) **“municipality”** means the municipal Council of Himachal Pradesh;
- (L) **“non-biodegradable waste”** means any waste that cannot be degraded by microorganisms into simpler stable compounds;
- (M) **“sanitary land filling”** means the final and safe disposal of residual solid waste and inert wastes on land in a facility designed with protective measures against pollution of ground water, surface water and fugitive air dust, wind-blown litter, bad odour, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants slope instability and erosion;

- (N) **“sanitary waste”** means wastes comprising of used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste;
- (O) **“schedule”** means the schedule indicating the rate in respect of sign boards;
- (P) **“secondary storage”** means the temporary containment of solid waste after collection at secondary waste storage depots or MRFs or bins for onward transportation of the waste to the processing or disposal facility;
- (Q) **“segregation”** means sorting and separate storage of various components of solid waste namely biodegradable wastes including agriculture and dairy waste, non-biodegradable wastes including recyclable waste, non-recyclable combustible waste, sanitary waste and non-recyclable inert waste, domestic hazardous wastes, and construction and demolition wastes;
- (R) **“service provider”** means an authority providing public utility services like water, sewerage, electricity, telephone, roads, drainage, *etc.*;
- (S) **“user fee/charge”** means a fee imposed by the local body and any entity mentioned in rule on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services;
- (T) **“waste picker/Collector”** means a person or groups of persons informally engaged in collection and recovery of reusable and recyclable solid waste from the source of waste generation the streets, bins, material recovery facilities, processing and waste disposal facilities for sale to recyclers directly or through intermediaries to earn their livelihood.

Words and expressions used herein but not defined, but defined in the Environment (Protection) Act, 1986, the Water (Prevention and Control of Pollution) Act, 1974, Water (Prevention and Control of Pollution) Cess Act, 1977 and the Air (prevention and Control of Pollution) Act, 1981, Himachal Pradesh Corporation Act, 1994, Himachal Pradesh Municipal Act, 1994 and Solid Waste Management Rules, 2016 shall have the same meaning as assigned to them in the respective Acts and Rules.

CHAPTER-II

Management of Municipal Solid waste

3. Municipal Solid Waste Management.—The Municipal Council shall establish an integrated Solid Waste Management (SWM) system with an aim to reduce the amount of waste being disposed, while maximizing resources recovery and efficiency. The preferred waste management system shall focus on the following points, namely :—

- I. *Reduction and reuse at source.*—The most preferred option for Solid Waste Management shall be prevention of waste generation. It will be helpful in reducing the handling, treatment and disposal costs and specially reduce various environmental impacts such as leachate, air emissions and generation of greenhouse gases.
- II. *Waste recycling.*—Recovery of recyclable material resources through a process of segregation, collection and re-processing to create new products shall be the next preferred alternative.

- III. *Composting*.—As far as possible the organic fraction of waste shall be composted and used to improve soil health and agricultural production adhering to norms.
- IV. *Waste-to-Energy*.—Where material recovery from waste is not possible, energy recovery from waste through production of heat, electricity or fuel may be preferred. Bio-methanation, waste incineration, production of Refuse Derived Fuel (RDF) and co-processing of the sorted dry rejects from municipal solid waste are to be commonly adopted “Waste to Energy” technologies.
- V. *Waste disposal*.—Remaining residual waste, which ideally comprises of inerts, shall be disposed in sanitary landfills constructed in accordance with stipulations of the Solid Waste Management Rules, 2016.
- VI. The Integrated Solid Waste Management system shall be environment friendly. Waste minimization, waste recycling, waste-to-energy strategies and landfill gas capture and use which are promoted in the Solid Waste Management Rules, 2016 shall be adopted for reduction of greenhouse gases.

CHAPTER-III

Municipal Solid Waste Collection & Transportation

4. Segregation & Primary Storage of Municipal Solid waste.—(a) It will be prime responsibility of every waste generator/citizen to segregate the waste generated by them in three separate streams namely bio-degradable, non-biodegradable and domestic hazardous wastes in suitable covered bins and handover segregated wastes to authorised waste pickers or waste collectors designated by ULBs or Agency Hired by ULBs once a day or at the frequency as decided by respective local body on the timing fixed by the service provider. Every citizen has to pay a fixed monthly rental for the services of door-to-door garbage collection.

(b) Waste generators shall be encouraged to segregate waste and store at source in three separate colour bins *i.e.* green—for biodegradable waste, blue—for non-biodegradable, red—for domestic hazardous waste.

(c) All institutions with more than 5,000 sqm. area shall, within one year from the date of notification of these bye laws and in partnership with the Municipal Council, ensure segregation of waste at source by the generators, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the Municipal Council.

(d) No person shall organise an event or gathering of more than one hundred persons at any unlicensed place without intimating the Municipal Council, at least three working days in advance and such person or the organiser of such event shall ensure segregation of waste at source and handing over of segregated waste to waste collector or agency as specified by the Municipal Council.

(e) Used sanitary waste are to be securely wrapped as and when generated in the pouches provided by the manufacturers or brand owners of these products or in a newspaper or suitable biodegradable wrapping material and place the same in the bin meant for non- biodegradable waste or dry waste.

(f) Every street vendor shall keep suitable containers for storage of waste generated during the course of his activity such as food waste, disposable plates, cups, cans, wrappers, coconut shells, leftover food, vegetables, fruits, *etc.*, and shall deposit such waste at waste storage depot or container or vehicle as notified by the Municipality.

(g) Store separately construction and demolition waste, as and when generated, in his own premises and shall dispose off as per the Construction and Demolition Waste Management Rules, 2016.

(h) Bulk waste generators of garden and horticulture waste like park, stadium *etc.* shall store separately in their premises and dispose of the same as may be prescribed by the Municipal Council from time to time.

(i) No untreated bio-medical waste, e-waste, hazardous chemicals and industrial waste shall be mixed with municipal solid waste and such waste shall follow the rules specifically separately specified for the purpose.

(j) Every waste generator has to ensure that there is no practice of burning or burying the solid waste generated by him, throwing on streets/ open public spaces outside his premises or in the drain or water bodies.

(k) Littering of waste on streets/open space/water bodies/drain shall be fined on the spot. On iterative they will be punishable and can be subjected to court as per rule.

(l) Time to time awareness generation campaigns should be organised to motivate people. RWA (Resident Welfare Association), Local NGOs, representative of public association and elected local member should be involved in the programme to motivate citizen.

5. Primary Collection of Municipal Solid Waste.—(a) Each and every house in the city/town should be approached for the primary collection of waste by means of wheel barrow, push cart, tricycle, small auto tipper depending on the size of road available.

(b) Municipal Council have to arrange for daily door-to-door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non-residential premises. From multi-storage buildings, large commercial complexes, malls, housing complexes, *etc.*, this may be collected from the entry gate or any other designated location.

(c) Municipal Council have to establish a system to recognise organisations of waste pickers or informal waste collectors and promote and establish a system for integration of these authorised waste-pickers and waste collectors to facilitate their participation in solid waste management including door-to-door collection of waste.

(d) Municipal Council have to facilitate formation of Self Help Groups, provide identity cards and thereafter encourage integration of informal waste pickers in solid waste management including door-to-door collection of waste.

(e) Municipal Council have to collect separately waste from sweeping of streets, lanes and by-lanes daily, or on alternate days or twice a week depending on the density of population, commercial activity and local situation.

(f) Municipal Council have to collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible.

(g) Time for the door-to-door collection services will have to fixed by the concern ULBs. Generally timing should to be between 6.00 A.M. to 9.00 A.M. For proper waste collection vehicle such as tricycle, auto tipper used for door-to-door garbage collection should be equipped with Alarm with audible decibel fixed as per the rules and timing should be strictly followed by the sanitation workers.

(h) For door-to-door garbage collection from commercial complex, offices and secondary bins timing should be between 9.00 A.M. to 11.00 A.M.

(i) For proper solid waste management & grievance redress Municipal Council should set up small office/centre in each ward of their boundaries.

(j) Under door-to-door services user charge for collection should be formulated on the following criteria :—

Sl. No	Category of User	User Charge on monthly basis (INR)
1.	Household (area less than 2000 sq. feet)	50
2.	Household (area more than 2000 sq. feet)	100
3.	Commercial Complex (Dhabba, sweet shop, coffee houses, provisional stores)	350
4.	Pan Shop	80
5.	Tea Shop	80
6.	Shops (Daily needs, cloths)	100
7.	Vegetables & fruits shops (Wholesale)	1000
8.	Vegetables & fruits shops (Retails)	250
9.	Sweet/snacks shop (Big)	400
10.	Offices (2 rooms)	100
11.	Offices (3-5 rooms)	250
12.	Offices (6-10 rooms)	1000
13.	Offices (11-20 rooms)	2000
14.	Offices (more than 20 rooms)	2000 for 20 rooms + 100 per additional room
15.	Bank	500
	Bank Floor Area > 1000 sq. feet	750
16.	Govt. Schools	100
17.	Private Schools upto 100 students on producing student's enrolment certificate	500
18.	Private Schools (more than 100 students)	1500
19.	Bakeries (small)	500
20.	Bakeries (manufacturing units)	1200
21.	PG Hostel/Guest House (upto 10 rooms)	500
22.	PG Hostel/Guest House (11-20 rooms)	1500
23.	PG Hostel/Guest House (21-30 rooms)	2500
24.	PG Hostel/Guest House (more 30 rooms)	2500 for 30 rooms + 500 per additional room
25.	Dharamsala	550
26.	Factories (manufacturing unit) other than notified in any other category	1500

27.	Workshop (tyre puncture shop)	100
28.	Workshop (repair shop)	250
29.	Workshop (repair + spare parts shop)	500
30.	Workshop (vehicle showroom, repair + spare parts)	750
31.	Workshop (those not touching any NH or SH)	300
32.	Restaurants	1500
33.	Restaurants + Bar	1700
34.	Cinema Hall (Theatre, multiples)	1500
35.	Govt. College	1000
36.	Private College	1500
37.	Hospital/Nursing Home (upto 50 beds)	1500
38.	Hospital/Nursing Home (51-100 beds)	2000
39.	Hospital/Nursing Home (more than 100 beds)	2000 + 250 per additional bed
40.	Clinics	150
41.	Clinics with medicines shops	250
42.	Chemist shop	200
43.	Laboratory	200
44.	Banquet Hall/Hotel	2000 & 2000 per trip on demand
45.	Special Hotels more than 50 Rooms	15000 & 2000 per trip on demand
46.	Vehicle on demand for Dumper	3000 per trip
47.	Big Malls	2000 per floor
48.	Meat Shops (other than subscribed with chicken waste collection vehicle)	500
49.	Confectionary + Veg Shop	250
50.	Scrap Dealers	400
51.	Street Vendor	100
52.	Cow Dung from cattle at households	350
53.	Any other establishment(s) not mentioned above	To be decided by ULB

Note.—User charge as prescribed above can be revised by the ULB time to time keeping in view the polluter pay principal to meet the operation and maintenance cost of the services under Solid waste management.

(k) User charge mentioned above for door-to-door services needs to be collected from each and every household & other establishment of all the wards in the municipal boundaries of the ULBs. Users charge decided above, contact person's name & number needs to be conveyed to general public through different media such as display on the vehicles used for these services, hoardings, pamphlets etc. Also, awareness generation campaigns need to be organised.

(l) No manual loading or unloading of waste in compactor should be practised with open hand or without safety measure as per the Solid Waste Management Rules, 2016.

6. Secondary Storage of Municipal Solid Waste.—Municipality by their own or with help of Agency hired needs to develop storage bins/secondary storage points for the collection of

waste generated in the town, they will also be responsible to monitor the condition of these bins so that no filthy or unhygienic condition develops around. While establishing or monitoring secondary storage bins following precaution needs to be taken care :—

- (a) Storage/Secondary storage bins should be designed and develop on the basis of the quantity of waste generated, density of population in the notified municipal boundaries. Minimum distance between two bins should be 500 meters and within radius of 1 Km. maximum numbers of bins should limited upto to 5. Established bins must be covered with movable lid and must be approachable/connected with metallic or non-metallic road.
- (b) Bins provided by Municipal Council or any hired agency should be designed in such a manner so that waste disposed in does not get scattered in open atmosphere and it should be artistic in nature so that it motivates people to dispose their waste in the bins not in open.
- (c) Bins placed at designated place by Municipal Council or any hired agency should motivate people to practice waste segregation and it should be placed as per Solid Waste Management Rule, 2016 having colour coding for different types of waste.

Green:—Biodegradable waste (Food Waste, garden waste)

Blue:—Non-Biodegradable waste

Red:—Hazardous or toxics waste

- (d) Well-designed Vehicle like auto Tipper/Compactor should be used for the purpose of transportation of waste and evacuating the bins.
- (e) All the cooperative society, residential welfare association/society, institutional organisation will be responsible to place suitable quantity of bins approved by the Municipal Council on the fixed place in their compound so that waste generated from there can be stored properly and collected from time to time by the municipal vehicle. User charge for these services fixed by the ULBs should be collected by the authorised person of local body.
- (f) It will be prime responsibility of all the waste generators/citizens to store and sell/handover the recyclable waste to the Ragpickers/Kabadiwala or person/organisation designated by the Municipal Council. They have to ensure that no such waste is being disposed on the road/drain/secondary storage bins/open space.
- (g) Door-to-door garbage collection, secondary storage bins, collection & transportation, processing of waste and disposal of waste in sanitary land fill site, and all these services will be provided by Municipal Council or any hired agency. ULBs will charge user fee for all these services and violator will be fined on the spot or punished and can be subjected to court as per rule.
- (h) Waste from the slaughter house, fish market, fruit & vegetable market is biodegradable in nature, so proper storage facility should be designed so that no health hazard spreads from this & facility for composting should be developed to make use of such waste in generating organic manure from it. For ensuring proper disposal of such waste every generator have to ensure best storage facility and segregation of such waste at source and door-to-door collection should be practiced by ULBs to collect 100% of such waste and take to processing plant. On Violation, waste generator should be fined on the spot or punished and can be subjected to court as per rule.
- (i) Municipal Council have to establish waste deposition centres for domestic hazardous waste and give direction for waste generators to deposit domestic hazardous wastes at this centre

for its safe disposal. Such facility shall be established in a city or town in a manner that one centre is set up for the area of twenty square kilometres or part thereof and notify the timings of receiving domestic hazardous waste at such centres.

(j) Bio medical & industrial waste should not be mixed with municipal waste and such waste should be stored and disposed separately as per the rules applicable. For the disposal of bio-medical waste common Bio medical Waste Treatment Facility (CBMWTF) should be developed in each ULB either separately or on the cluster basis. By paying the fixed user fee such waste can be easily disposed off.

(k) Construction and demolition waste should be store separately as and when generated, in his/her own premises and shall be disposed off as per the Construction and Demolition Waste Management Rules, 2016. ULBs should fix user charge for transportation and disposal of C&D waste and generator should dispose this waste by paying the charge as per the rules and at the designated place. Disposing of such waste in open space, road side, and common place will be treated as illegal and fined as per the rules.

(l) Gardening/Horticultural waste should also be stored separately at source. ULBs should fix a day or two in week and some place where generator should give their waste and from there it should be transported to disposal site.

(m) Dry leaves, plastic and other such waste should not be burnt in open, doing such activity will be treated as illegal and punishable, violator should be fined as per the rules.

(n) Stray animal should be restricted from roaming in and around the waste disposal site & secondary storage bins or any public place in the town.

(o) Every citizen, institutions, office buildings, commercial complexes has to ensure that there is no open discharge of grey water, black water or any other such polluted water in drain, open space or on road which can spread health issues, doing such activity will be treated as illegal and punishable as per the rules.

(p) No person should dispose dead animal or any such material in open space, road side, community park or any other place which can spread pollution and health issues, doing such activity will be treated as illegal and punishable as per the rules.

(q) Municipal Council have to set up covered secondary storage facility for temporary storage of street sweepings and silt removed from surface drains in cases where direct collection of such waste into transportation vehicle is not convenient. Waste so collected shall be collected and disposed of at regular intervals as decided by the local body.

(r) Municipal Council can develop bins free solid waste management facility but for this 100% waste collection from the door step of the generator should be ensured.

7. Secondary Collection & Transportation of Municipal Solid Waste.—(a) Each storage bins/secondary storage bins should be attended daily by the help of auto tipper, tractor, compactor *etc.*

(b) Closed vehicle should be used for the transportation of waste. To reduce the frequency of loading and unloading of waste compactor should be used.

(c) Municipal Council will have to ensure safe storage and transportation of the domestic hazardous waste to the hazardous waste disposal facility.

(d) Transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility. Preference shall be given for onsite processing of such waste.

(e) Transport non-bio-degradable waste to the respective processing facility or material recovery facilities or secondary storage facility. Ensure transportation of construction and demolition waste as per the provisions of the Construction and Demolition Waste Management Rules, 2016.

CHAPTER-IV

Municipal Solid Waste Processing & Disposal

8. Waste Processing Plant.—Municipal Council with the help of State Pollution Control Board approval needs to develop solid waste management/processing plant to make use of daily generated biodegradable waste so that it can reduce the quantity of waste being disposed at the sanitary land fill site.

- (a) Municipal Council have to collect waste from vegetable, fruit, flower, meat, poultry and fish market on day-to-day basis and promote setting up of decentralised compost plant or bio-methanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions.
- (b) Involve communities in waste management and promotion of home composting, bio-gas generation, decentralised processing of waste at community level subject to control of odour and maintenance of hygienic conditions around the facility.
- (c) For processing of biodegradable waste Municipal Council have to establish waste processing plant such as composting plant-windrow compost plant, vermicomposting plant, waste to energy or any other such technology by their own or with help of any other licensed company/firm/organisation on Build-Operate-Transfer (BOT)/Object Oriented (OO) method.
- (d) For processing of mixed recyclable waste Municipal Council have to establish recycling units such as incineration, RDF Plant or other such recycling technology by their own or with help of any other licensed company/firm/organisation on Build-Operate-Transfer (BOT)/Object Oriented (OO) method.
- (e) Municipality may also send the non-biodegradable/dry waste as RDF to nearby cement factories for co-processing.

9. Waste Disposal.—(a) Municipal Council have to stop land filling or dumping of mixed waste soon after the timeline for setting up and operationalisation of sanitary landfill is over.

(b) Municipal Council have to allow only the non-usable, non-recyclable, non-biodegradable, non-combustible and non-reactive inert waste and pre-processing rejects and residues from waste processing facilities to go to sanitary landfill.

(c) Sites shall meet the specifications as given in Schedule-I of Solid Waste Management Rules, 2016, however, every effort shall be made to recycle or reuse the rejects to achieve the desired objective of zero waste going to landfill.

(d) Municipal Council have to investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of bio-mining and bio-remediation and where so ever feasible, take necessary actions to bio-mine or bio-remediate the sites.

(e) Municipal Council have to ensure that in absence of the potential of bio-mining and bio-remediation of dumpsite, it shall be scientifically capped as per landfill capping norms to prevent further damage to the environment.

CHAPTER-V

Monitoring by Ward Committee

Constitution of Ward Sanitation Committee.—A Ward Sanitation Committee shall be constituted in each ward of the Municipal Council . The Ward Sanitation Committee shall have 11 to 15 members. The members of the WSC would comprise of ward member, sanitary inspector, tax collector or a designated officer by Municipal Council for each ward, representatives of Residential Welfare Associations (RWAs) of the ward, representatives from slum sanitation committee, representatives of Community Based Organisations (SHGs, youth club *etc.*), local leaders, senior citizens etc. The Ward Sanitation Committee shall oversee the sanitation activity in the ward.

CHAPTER-VI

Stakeholder's Responsibilities

10. Responsibilities of various stakeholders :

10.1 Responsibilities of Waste Generators.—(a) No waste generator shall throw the waste generated by him on the street, open spaces, drain or water bodies.

(b) No person shall let the dirty water, mud, night soil, cow dung, urine, polluted water from their own house, organisation, commercial establishments to accumulate in their own compound nor let it flow on common streets in a way that the environment gets polluted by foul smell or poses a threat to public health.

(c) To wrap securely used sanitary waste as and when generated in a newspaper or suitable bio-degradable wrapping material and place the same in the domestic bin meant for non-biodegradable waste.

(d) All citizens shall have the responsibility to dispose of the recyclable waste generated in their complexes to the waste pickers authorised by the Municipal Council or waste collector or containers of the Municipal Council and not put it on the road under any circumstances.

(e) All waste generators shall pay user fees as specified in these bye-laws.

(f) No waste generator shall throw, burn or bury the solid waste generated by him on streets, open public spaces outside his premises or in the drain or water bodies,

(g) No dead animals or their remains to be thrown in any public places or any such place, which create any kind of pollution.

(h) If any person is found violating activities prohibited for doing, fine charges shall be collected from the offender by the Municipal Council.

10.2 Responsibility of Ward Sanitation Committee.—(a) The Ward Sanitation Committee shall oversee the sanitation and cleanliness activities in ward.

(b) The Ward Sanitation Committee shall act as a grievances redressal point on sanitation issues at ward level.

(c) The Ward Sanitation Committee shall have the power to impose fine on any offender and also have the power to waive of penalties.

(d) The Ward Sanitation Committee will promote home composting, bio-gas generation, decentralised processing of waste at community level subject to control of odour and maintenance of hygiene around the facility.

(e) The Ward Sanitation Committee will give warning to any offenders of these bye-laws. After two warning by the Ward Sanitation Committee or the Municipal Council, penalty shall be collected from the violator as per the provisions of these bye-laws.

10.3 Responsibility of the Municipal Council.—(a) The Municipal Council shall within its territorial area, be responsible for ensuring daily and throughout the year system of cleaning of all common roads, places, temporary settlements, slums, areas, markets, its own parks, gardens, tourist spots, cemeteries and shall be bound to collect the garbage from the nearest declared storage containers, and transport it every day to the final disposal point in closed vehicles for which the municipal authority may engage private parties on contract or Public Private Partnership mode, apart from its own permanent cleaning staff and vehicles.

(b) The Municipal Council or the authorized agency engaged by the Municipal Council shall provide and maintain suitable community bins on public roads or other public spaces.

(c) The Municipal Council for the purpose of managing such sanitation activities in decentralised and regular manner shall designate one ward officer, in every ward to supervise the spots of containers, public toilets, community toilets or urinals in public places, transfer station for public garbage, landfill processing units etc. for final disposal of city's garbage.

(d) The designated ward officer by the Municipal Council shall also be a member of the concerned Ward Sanitation Committee which shall act as the first point of grievance redressal on sanitation issues of the concern ward and meet complains of citizens on issues of sanitation.

(e) The Municipal Council shall facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the technologies and the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board.

(f) The Municipal Council shall create awareness through Information, Education and communication (IEC) campaign and educate the waste generators on minimal generation of waste, not to litter, re-use the waste to the extent possible, practice segregation of wet bio-degradable waste, dry recyclable and combustible waste and domestic hazardous waste at source, wrap securely used sanitary waste as and when generated in a newspaper or suitable bio-degradable wrapping material and place the same in the domestic bin meant for non-biodegradable waste, storage of segregated waste at source and payment of monthly user fee.

(g) Chemical fertilizers shall be replaced by use of compost in all parks, gardens maintained by the Municipal Council and any other places within two years of notification.

(h) Promote recycling initiatives by informal waste recycling sector.

(i) The Municipal Council shall make efforts to streamline and formalize Solid Waste Management systems and endeavour that the informal sector workers in waste management (rag pickers) are given priority to upgrade their work conditions and are enumerated and integrated into the formal system of Solid Waste Management in cities.

(j) Ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce.

(k) Ensure occupational safety of the Municipal Council own staffs and staffs of outsource agency involved in collection, transport and handling waste by providing appropriate and adequate personal protective equipment's.

(l) In case of an accident at any solid waste processing or treatment or disposal facility or landfill site, the officer-in-charge of the facility shall report to the Municipal Council immediately which shall review and issue instructions if any, to the in-charge of the facility.

CHAPTER-VII

Prosecution & Penalties

11. Prosecution.—(i) Prosecution can be made on violation of above said rules Under Municipal Solid Waste Management Rules, 2016, Himachal Pradesh Council Act, 1994 and Environmental Protection Act, 1986. Even the prosecution can be made on the official/workers responsible for implementing so called services under the above said Bye-laws if they are not performing their task or delaying their responsibility to implement the services.

(ii) Whosoever contravenes the provision of above said Bye-laws shall be in addition to the penalties already mentioned under any act/rules/laws/bye-laws for time being in force would be liable for disconnection of water supply, electricity and other civic amenities and the Executive Officer/Secretaries of the ULB may request the competent authorities to withdraw any other services if granted in favour of Institution/Commercial Establishment/person committing the offence.

12. Penalties.—On the violation of above said municipal Bye-laws fixed penalties are as below :—

Sl. No.	Offence	Municipal Council
1.	Littering by People of residential colony	Rs. 500 per day
2.	Open dumping by shopkeepers	Rs. 1000 per day
3.	Littering/open dumping by restaurants owners	Rs. 2000 per day
4.	Littering/open dumping by Hotel Owners	Rs. 2000 per day
5.	Littering/open dumping by Industries	Rs. 5000 per day
6.	Street Vendor like fast-food, chat, ice-cream, juice corner etc.	Rs. 250 per day

7.	Open defecation/ urination in public place	Rs. 500 per offence committed
8.	Disposal of dung in open space/public place	Rs. 2000 per day
9.	Disposal of construction & demolition waste in open space/road side/public place by resident.	Rs. 2000 per day
10.	Littering of waste like dung, construction & demolition waste on road while transporting through private tractor/vehicle.	Rs. 2000 per day
11.	Disposal of waste water from house in non-authorised place	Rs. 2000 per day
12.	Disposal of sewer in non-authorised place	Rs. 5000 per day
13.	Not keeping of closed dust bins in adequate number & quantity by owners mention from Sl. No 2-6.	Rs. 5000 per day
14.	Spilling of Oil, Dust, water & other material by road side Motar, Bike, Bicycle repair mechanics.	Rs. 1000 per day
15.	Disposal of skin, feather, blood, flash or any other material of animal(s) by shopkeeper.	Rs. 2000 per day
16.	Littering by pet animals like dogs, cow, etc. on road side/open space/community place.	Rs. 1000 per day
17.	Littering or disposal of waste in front of Marriage hall, community place, exhibition hall, Mela ground.	Rs. 5000 per day
18.	Encroachment of Road for by Dhabas or any other such shop and disposing of waste on road side, open space.	Rs. 1000 per day
19.	Encroachment of Road for by fruit, vegetable local vendor and disposing of waste on road side, open space.	Rs. 250 per day
20.	Encroachment of Road Hair cutting saloon and disposing of waste on road side, open space.	Rs. 250 per day
21.	Encroachment & Disposal of construction & demolition waste in open space/road side/public place by Business man, shopkeepers.	Rs. 5000 per day
22.	Disposal of waste by Private Nursing Home/Hospital, Clinics, Dispensaries on road side, open space.	Rs. 5000 per day
23.	Non-Segregation of waste at source	
	(i) Residents	Rs. 250 for first offence and Rs. 500 for second & subsequent offences in a month.
	(ii) Shopkeepers	Rs. 500 for first offence and Rs. 1000 for second & subsequent offences in a month.
	(iii) Restaurants owners	Rs. 1000 for first offence and Rs. 2000 for second & subsequent offences in a month.
	(iv) Hotel Owners	Rs. 1500 for first offence and Rs. 2500 for second & subsequent offences in a month.
	(v) Industrial Establishment	Rs. 3000 for first offence and Rs. 5000 for second & subsequent offences in a month.

	(vi)	Sweets, snacks, fast food. Ice-creams, sugarcane & other juice and vegetables vendor carts	Rs. 250 for first offence and Rs. 500 for second & subsequent offences in a month.
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13. Repeal/Contradict:—

- ✓ Once these bye-laws come in to force any other rules, bye-laws, policy with regard to this matter adopted by any ULB will be considered as disaffirm.
- ✓ Any work done or scheme implemented under any previous rules/bye-laws will not be impugning unless until it is just opposite or completely contrary to the action to be taken under the above said bye-laws.

Sd/-
Executive Officer,
Municipal Council Nahan,
District Sirmaur (H.P.).

राज्य निर्वाचन आयोग, हिमाचल प्रदेश
STATE ELECTION COMMISSION, HIMACHAL PRADESH

Armsdale Building-171002 Tel. 0177-2620152, 2620159, 2620154, Fax. 2620152
Email-secysec-hp@nic.in

NOTIFICATION

Shimla-2, the 29th September, 2018

No. SEC (5)54/99.—On the recommendation of Departmental Promotion Committee, Sh. Ghanshayam Chauhan is hereby promoted as Private Secretary (Gazetted Class-I) on regular basis in the Pay Band of Rs. 15600-39100+5400 G.P.+ Special Allowance Rs. 600/- P.M. with effect from 01-10-2018.

Sh. Ghanshayam Chauhan will be on probation for a period of two years which can be extended for a period of one year in special circumstances and reasons to be recorded in writing.

Further Sh. Ghanshayam Chauhan is required to exercise option for fixation of pay within a period of one month from the date of issue of these orders.

By order,
Sd/-
State Election Commissioner,
Himachal Pradesh.

आबकारी एवं कराधान विभाग

अधिसूचना सं० 21/2018—राज्य कर

शिमला—2, 29 सितम्बर, 2018

संख्या: ई०एक्स०एन०—एफ०(10)—28/2018.—हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश माल और सेवा कर अधिनियम, 2017 (2017 का 10) की धारा 164 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश माल और सेवा कर नियम, 2017 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश माल और सेवा कर (ग्यारहवां संशोधन) नियम, 2018 है।

(2) यथा अन्यथा उपबंधित के सिवाय, ये भूतलक्षी प्रभाव अर्थात् 18 अप्रैल, 2018 से प्रवृत्त होंगे।

2. हिमाचल प्रदेश माल और सेवा कर नियम, 2017 में,—

(i) नियम 89 में, उपनियम (5) के स्थान पर, निम्नलिखित रखा जाएगा, अर्थात्:—

“(5) विपरीत शुल्क ढांचा के मददे प्रतिदाय की दशा में, इनपुट कर प्रत्यय का प्रतिदाय, निम्नलिखित सूत्र के अनुसार दिया जाएगा :—

अधिकतम प्रतिदाय की रकम = $\{[(\text{व्युत्क्रमित दर के माल और सेवाओं के प्रदाय का आवर्त}) \times \text{शुद्ध आईटीसी} \div \text{समायोजित कुल आवर्त}]\}$ —ऐसे व्युत्क्रमित दर के माल और सेवाओं के प्रदाय पर संदेय कर।

स्पष्टीकरण.—इस उपनियम के प्रयोजनों के लिए,—

(क) “शुद्ध आईटीसी” पद से सुसंगत अवधि के दौरान, ऐसे उपभोग किए गए इनपुट कर प्रत्यय से भिन्न, जिसके लिए उपनियम (4क) या उपनियम (4ख) या दोनों के अधीन प्रतिदाय का दावा किया गया है, इनपुटों पर उपभोग किया गया इनपुट कर प्रत्यय अभिप्रेत है; और

(ख) “समायोजित कुल आवर्त” पद का वही अर्थ होगा जो उपनियम 4 में उसका है।”;

(ii) नियम 97 के स्थान पर, निम्नलिखित नियम रखा जाएगा, अर्थात्:—

“97. उपभोक्ता कल्याण निधि.—(1) राज्य कर की समस्त रकम और हिमाचल प्रदेश माल और सेवा कर अधिनियम, 2017 (2017 का 10) की धारा 57 में विनिर्दिष्ट अन्य धनराशियों सहित विनिधान से प्राप्त आय इस निधि में जमा की जाएगी :

परन्तु एकीकृत माल और सेवा कर अधिनियम, 2017 की धारा 20 के साथ पठित हिमाचल प्रदेश माल और सेवा कर अधिनियम, 2017 की धारा 54 की उपधारा (5) के अधीन अवधारित एकीकृत कर की रकम के पचास प्रतिशत के बराबर रकम को निधि में जमा किया जाएगा।

परन्तु यह और कि माल और सेवा कर (राज्यों को प्रतिकर) अधिनियम, 2017 (2017 का 15) की धारा 11 के साथ पठित धारा 54 की उपधारा (5) के अधीन अवधारित उपकर की रकम के पचास प्रतिशत के बराबर रकम निधि में जमा की जाएगी।

- (2) जहां उचित अधिकारी, अपील प्रतिधकारी या न्यायालय द्वारा, निधि में जमा की गई किसी रकम को, किसी दावाकर्ता को संदाय करने का आदेश या निदेश दिया जाता है, वहां उसका संदाय निधि से किया जाएगा।
- (3) केन्द्रीय सरकार द्वारा अनुरक्षित निधि के लेखे भारत के नियंत्रक और महालेखा परीक्षक द्वारा संपरीक्षा के अधधीन होंगे।
- (4) सरकार, आदेश द्वारा, अध्यक्ष, उपाध्यक्ष, सदस्य सचिव और उतने सदस्यों के साथ, जितने वह ठीक समझे, एक स्थायी समिति (जिसे इसमें इसके पश्चात् 'समिति' कहा गया है) का गठन करेगी और समिति, निधि में जमा की गई धनराशि का उपभक्ताओं के कल्याण हेतु उचित उपयोग के लिए सिफारिशें करेगी;
- (5) (क) समिति की बैठक, जब कभी आवश्यक हो, साधारणतया किसी वर्ष में चार बार होगी;
- (ख) समिति की बैठक ऐसे समय और स्थान पर होगी, जो समिति का अध्यक्ष, या उसकी अनुपस्थिति में उपाध्यक्ष, ठीक समझे;
- (ग) समिति की बैठक की अध्यक्षता, अध्यक्ष द्वारा, या उसकी अनुपस्थिति में उपाध्यक्ष द्वारा की जाएगी;
- (घ) समिति की बैठक, प्रत्येक सदस्य को लिखित में कम से कम दस दिन की सूचना देने के पश्चात् बुलाई जाएगी;
- (ङ) समिति की बैठक की सूचना में, बैठक का स्थान, तारीख और समय विनिर्दिष्ट होगा और उसमें किए जाने वाले कामकाज का विवरण अंतर्विष्ट होगा;
- (च) समिति की कोई कार्यवाही तब तक विधिमान्य नहीं होगी, जब तक उसकी अध्यक्षता, अध्यक्ष या उपाध्यक्ष द्वारा न की जाए और उसमें कम से कम तीन अन्य सदस्य उपस्थित न हों।
- (6) समिति को,—
- (क) किसी आवेदक से, किसी ऐसे प्राधिकारी के पास, जो केन्द्रीय सरकार विनिर्दिष्ट करे, रजिस्ट्रीकृत कराने हेतु अपेक्षा करने की शक्ति होगी;
- (ख) किसी आवेदक से ऐसी पुस्तिकाएं, लेखे, दस्तावेज, लिखतें या आवेदक की अभिरक्षा और नियंत्रण में की ऐसी वस्तुओं को, जो आवेदन के उचित मूल्यांकन के लिए आवश्यक हो, उसके समक्ष या यथास्थिति, केन्द्रीय सरकार या राज्य सरकार के सम्यक् रूप से प्राधिकृत किसी अधिकारी के समक्ष पेश करने हेतु अपेक्षा करने की शक्ति होगी;
- (ग) किसी आवेदक से, किसी ऐसे परिसर में, जहां से उपभोक्ताओं के कल्याण हेतु क्रियाकलापों के किए जाने का दावा किया गया है, यथास्थिति, राज्य सरकार के सम्यक् रूप से प्राधिकृत किसी अधिकारी को प्रवेश और निरीक्षण अनुज्ञात करने हेतु अपेक्षा करने की शक्ति होगी;
- (घ) अनुदान का उचित उपयोग सुनिश्चित करने के लिए आवेदकों के लेखाओं की संपरीक्षा करने की शक्ति होगी;
- (ङ) किसी आवेदक से, उसकी ओर से की गई किसी चूक या किसी सारवान जानकारी के छिपाए जाने की दशा में, समिति को मंजूर अनुदान का, उस पर प्रोद्भूत ब्याज के साथ एक मुश्त प्रतिदाय करने हेतु अपेक्षा करने की और उसे अधिनियम के अधीन अभियोजित करने की शक्ति होगी;

- (च) इस अधिनियम के उपबंधों के अनुसार किसी आवेदक से शोध्य रकम वसूल करने की शक्ति होगी;
- (छ) किसी आवेदक या आवेदकों के किसी वर्ग से, अनुदान का उचित उपयोग उपदर्शित करते हुए, एक कालिक रिपोर्ट प्रस्तुत करने हेतु अपेक्षा करने की शक्ति होगी;
- (ज) सरवान विशिष्टियों में तात्त्विक असंगतता या गलती होने के कारण उसके समक्ष प्रस्तुत आवेदन को नामंजूर करने की शक्ति होगी;
- (झ) किसी आवेदक को उसकी वित्तीय स्थिति और किए जाने वाले क्रियाकलाप की प्रकृति की उपयोगिता को ध्यान में रखते हुए यह सुनिश्चित करने के पश्चात् कि उपलब्ध वित्तीय सहायता का दुरुपयोग नहीं होगा, अनुदान द्वारा न्यूनतम वित्तीय सहायता की सिफारिश करने की शक्ति होगी;
- (ञ) ऐसे फायदाप्रद और सुरक्षित सेक्टरों की पहचान करने, जिनमें निधि में से विनिधान किए जा सकें और तदनुसार उनकी सिफारिशें करने की शक्ति होगी;
- (ट) किसी आवेदक के उपभोक्ता कल्याण संबंधी क्रियाकलापों में लगे रहने की अवधि के लिए अपेक्षित शर्तों को शिथिल करने की शक्ति होगी;
- (ठ) निधि के प्रबंध और प्रशासन के लिए मार्ग दर्शक सिद्धांत बनाने की शक्ति होगी।
- (7) समिति किसी आवेदन पर तब तक विचार नहीं करेगी, जब तक सदस्य सचिव द्वारा, तदनुसार उसके सरवान ब्योरों की जांच न कर ली जाए और वह उस पर अपनी सिफारिश न दे दें।
- (8) समिति निम्नलिखित के सम्बन्ध में सिफारिशें करेगी :—
- (क) किसी आवेदक को अनुदान उपलब्ध करवाने के लिए;
- (ख) निधि में उपलब्ध धनराशि के विनिधान के लिए;
- (ग) किसी उपभोक्ता विवाद में किसी परिवादी या परिवादियों के किसी वर्ग द्वारा उपगत विधिक व्ययों की उसके अंतिम न्यायनिर्णयन के पश्चात्, प्रतिपूर्ति के लिए अनुदान (चयनात्मकता के आधार पर) उपलब्ध करवाने के लिए;
- (घ) ऐसे किसी अन्य प्रयोजन के लिए, जिनकी केंद्रीय उपभोक्ता संरक्षण परिषद् द्वारा सिफारिश की जाए, अनुदान उपलब्ध करवाने के लिए (जो समिति द्वारा समुचित समझा जाए);
- (ङ) माल और सेवा कर के प्रचार/उपभोक्ता जागरूकता के लिए, प्रत्येक वर्ष निधि में जमा की पचास प्रतिशत तक धनराशि उपलब्ध करवाने के लिए, परन्तु उपभोक्ता मामले विभाग के उपभोक्ता कल्याण सम्बन्धी क्रियाकलापों के लिए निधियों की उपलब्धता पच्चीस करोड़ रुपए प्रति वर्ष से कम नहीं होगी।

स्पष्टीकरण.—इस नियम के प्रयोजनों के लिए,—

- (क) 'आवेदक' से निम्नलिखित अभिप्रेत है,—
- (i) केन्द्रीय सरकार या राज्य सरकार;

- (ii) संसद या किसी राज्य के विधान मंडल या संघ राज्यक्षेत्र के किसी अधिनियम के अधीन गठित विनियामक प्राधिकरण या स्वशासी निकाय;
- (iii) कंपनी अधिनियम, 2013 (2013 का 18) के अधीन या तत्समय प्रवृत्त किसी अन्य विधि के अधीन रजिस्ट्रीकृत, कम से कम तीन वर्ष की अवधि से उपभोक्ता कल्याण संबंधित क्रियाकलापों में लगा हुआ कोई अभिकरण या संगठन;
- (iv) ग्राम या मंडल या समिति या उपभोक्ताओं, विशेषकर स्त्रियों, अनुसूचित जातियों और अनुसूचित जनजातियों, की समिति स्तर की सहकारी सोसाइटी;
- (v) संसद या राज्य विधान मंडल या संघ राज्यक्षेत्र के किसी अधिनियम द्वारा भारत में निगमित ऐसी कोई शैक्षिक या अनुसंधान संस्था या संसद के किसी अधिनियम द्वारा स्थापित या विश्वविद्यालय अनुदान आयोग अधिनियम, 1956 (1956 का 3) की धारा 3 के अधीन समझा गया विश्वविद्यालय के रूप में घोषित अन्य ऐसी शैक्षिक संस्थाएं, और जिनमें कम से कम तीन वर्ष से उपभोक्ता सम्बन्धी अध्ययन उसके पाठ्यक्रम के रूप में चल रहा हो; और
- (vi) उपभोक्ता संरक्षण अधिनियम, 1986 (1986 का 68) की धारा 2 की उपधारा (1) के खंड (ख) के अधीन यथा परिभाषित कोई शिकायतकर्ता, जिसने, उसके द्वारा किसी उपभोक्ता विवाद प्रतितोष अभिकरण में संस्थित किसी मामले में उसके द्वारा उपगत विधिक व्ययों की प्रतिपूर्ति के लिए आवेदन किया है।
- (ख) 'आवेदन' से आवेदन को ऐसा प्ररूप अभिप्रेत है, जो स्थायी समिति द्वारा, समय-समय पर विनिर्दिष्ट किया जाए;
- (ग) 'केन्द्रीय उपभोक्ता परिषद्' से उपभोक्ता संरक्षण अधिनियम, 1986 (1986 का 68) की धारा 4 की उपधारा (1) के अधीन उपभोक्ताओं के अधिकारों के संवर्धन और संरक्षण के लिए स्थापित केन्द्रीय उपभोक्ता संरक्षण परिषद् अभिप्रेत है;
- (घ) 'समिति' से उपनियम, (4) के अधीन गठित समिति अभिप्रेत है;
- (ङ) 'उपभोक्ता' का वही अर्थ होगा, जो उपभोक्ता संरक्षण अधिनियम, 1986 (1986 का 68) की धारा 2 की उपधारा (1) के खंड (घ) में उसका है और इसके अंतर्गत ऐसे माल के, जिस पर केन्द्रीय कर संदत्त किया गया है, उपभोक्ता भी है;
- (च) 'निधि' से हिमाचल प्रदेश माल और सेवा कर अधिनियम, 2017 (2017 का 10) की धारा 57 के अधीन राज्य सरकार द्वारा स्थापित उपभोक्ता कल्याण निधि अभिप्रेत है;
- (छ) 'उचित अधिकारी' से ऐसा अधिकारी अभिप्रेत है, जिसे अधिनियम के अधीन ऐसा आदेश करने की शक्ति है कि संपूर्ण राज्य कर या उसका कोई भाग प्रतिदेय होगा;
- (iii) प्ररूप जीएसटी आईटीसी-03 में, प्रविष्टि 5(ङ) के पश्चात्, "***" के सामने अनुदेश के स्थान पर, निम्नलिखित रखा जाएगा, अर्थात्:—
- *** पूंजी माल का मूल्य, बीजक की तारीख से प्रति मास 1/60वां या उसके भाग को घटाकर आया बीजक मूल्य होगा”;
- (iv) प्ररूप जीएसटीआर-8 के पश्चात्, निम्नलिखित प्ररूप अंतःस्थापित किया जाएगा, अर्थात्:—

1.	जीएसटीआईएन	
2.	विधिक नाम	
3.	व्यापार का नाम, यदि कोई हो	
4.	भावी प्रन्नाचार के लिए पता	
5.	रजिस्ट्रीकरण रद्द करने की प्रभावी तारीख (कारबार बंद करने की तारीख या वह तारीख जिससे रजिस्ट्रीकरण समाप्त किया गया है)।	
6.	रद्दकरण आदेश की संदर्भ संख्या	
7.	रद्दकरण आदेश की तारीख	

8. स्टॉक में धारित इनपुट, स्टॉक में धारित अर्धपरिरूपित या परिरूपित माल में अंतर्विष्ट इनपुट और पूंजीमाल/संयंत्र और मशीनरी जिस पर कर प्रत्यय आरक्षित किया जाना और सरकार को वापस संदत्त करना अपेक्षित है, के ब्यौरे।

[illegible]

9. संदेय और संदत्त कर की रकम (सारणी 8 पर आधारित)

क्र. सं.	विवरण	आईटीसी	रजिस्ट्रीकरण के	संदेय	इलैक्ट्रानिक	विकलन के माध्यम से			
		विपर्यय / संदेय कर	रद्दकरण के लिए आवेदन के साथ संदत्त कर (जीएसटीआरई जी-16)	अतिशेष कर (3-4)	नकद बही में विकलन के माध्यम से संदत्त रकम	इलैक्ट्रानिक प्रत्यय बही में संदत्त रकम			
						केन्द्रीय कर	राज्य / संघ राज्यक्षेत्र कर	एकीकृत	उपकर
1	2	3	4	5	6	7	8	9	10
1.	केन्द्रीय कर								
2.	राज्य / संघ राज्य क्षेत्र कर								
3.	एकीकृत								
4.	उपकर								

10. संदेय और संदत्त ब्याज, विलंब फीस

विवरण	संदेय रकम	संदत्त रकम
1	2	3
(I) ब्याज		
(क) एकीकृत कर के मद्दे		
(ख) केन्द्रीय कर के मद्दे		
(ग) राज्य / संघ राज्यक्षेत्र कर के मद्दे		
(घ) उपकर के मद्दे		
(II) विलंब फीस		
(क) केन्द्रीय कर		
(ख) राज्य / संघ राज्यक्षेत्र		

11. सत्यापन

मैं सत्यनिष्ठा से प्रतिज्ञान करता हूं और घोषित करता हूं कि ऊपर दी गई जानकारी मेरे सर्वोत्तम ज्ञान और विश्वास में सत्य और सही है और इसमें कोई बात छिपाई नहीं गई है।

प्राधिकृत हस्ताक्षरकर्ता के हस्ताक्षर.....

नाम.....

पदनाम / प्रस्थिति.....

तारीख : दिन / मास / वर्ष

अनुदेशः—

1. यह प्ररूप ऐसे करदाताओं या ऐसे व्यक्तियों द्वारा भरा जाना अपेक्षित नहीं है जो निम्नलिखित रूप में रजिस्ट्रीकृत हैं:—

- (i) इनपुट सेवा वितरक;
- (ii) धारा 10 के अधीन कर संदाय करने वाले व्यक्ति;
- (iii) अनिवासी कराधेय व्यक्ति;
- (iv) ऐसे व्यक्ति जिनसे धारा 51 के अधीन स्रोत पर कर की कटौती की अपेक्षा है; और
- (v) ऐसे व्यक्ति जिनसे धारा 52 के अधीन स्रोत पर कर के संग्रहण की अपेक्षा है।

2. इनपुट, अर्धपरिरूपित या परिरूपित माल में अंतर्विष्ट इनपुट के स्टॉक के और ऐसे पूंजीमाल/संयंत्र और मशीनरी के, जिस पर इनपुट कर प्रत्यय का कर उपभोग किया गया है, स्टॉक के ब्यौरे।

3. क्रम सं० 8 में के स्टॉक के ब्यौरे उपलब्ध करवाते समय निम्नलिखित बिंदुओं पर ध्यान देने की आवश्यकता है:

- (i) जहां स्टॉक में धारित इनपुट या अर्धपरिरूपित या परिरूपित माल में अंतर्विष्ट इनपुट से संबंधित कर बीजक उपलब्ध नहीं है वहां रजिस्ट्रीकृत व्यक्ति, माल की विद्यमान बाजार कीमत पर आधारित नियम 44 के उपनियम (3) के अधीन रकम का प्राक्कलन करेगा;
- (ii) ऐसे पूंजीमाल/संयंत्र और मशीनरी की दशा में मूल्य पांच वर्ष की उपयोगी अवधि के लिए बीजक/क्रय की तारीख से 1/60 प्रतिमास या उसके भाग को घटाकर आया बीजक मूल्य होगा।

4. सारणी के क्रम संख्या 8 [प्रविष्टि 8 (घ) के सामने] पर नियम 44 के उपनियम (3) के अनुसार दिए गए ब्यौरे किसी व्यवसायरत चार्टर्ड आकाउंटेंट या लागत लेखापाल द्वारा समयक् रूप से सत्यापित किए जाएंगे। प्रमाणपत्र की प्रति को ब्यौरे फाइल करते समय अपलोड किया जाएगा।”;

(V) प्रारूप जीएटी डीआरसी-07 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

“प्रारूप जीएसटी डीआरसी-07

[नियम 142(5) देखें]

आदेश का सार

1. आदेश के ब्यौरे—

(क) आदेश सं. (ख) आदेश की तारीख (ग) कर अवधि—

2. अंतर्वलित विवादक— <<नीचे देखें>>

वर्गीकरण, मूल्यांकन, कर की दर, व्यापारावर्त का अधिक्रमण, आईटीसी दावे का आधिक्य, निर्मोचित प्रतिदाय का आधिक्य, प्रदाय का स्थान, अन्य (विनिर्दिष्ट करें)

3. मालों/सेवाओं का विवरण.—

क्र.सं.	एचएसएन	विवरण

4. मांग के ब्यौरे

(रकम रुपयों में)

क्र. सं.	कर की दर	व्यापारावर्त	प्रदाय का स्थान	कार्य	कर/उपकर	ब्याज	शास्ति	अन्य
1	2	3	4	5	6	7	8	9

हस्ताक्षर

नाम

पदनाम "

आदेश द्वारा,
हस्ताक्षरित/—
(जगदीश चन्द्र शर्मा),
प्रधान सचिव(आबकारी एवं कराधान)।

[Authoritative English text of this Department Notification No. EXN-F(10)-28/2018 dated 29-09-2018 as required under clause (3) of Article 348 of the Constitution of India].

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION No. 21/2018-State Tax

Shimla-2, the 29th September, 2018

No. EXN-F(10)-28/2018.—In exercise of the powers conferred by section 164 of the Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017), the Governor of Himachal Pradesh is pleased to make the following rules further to amend the Himachal Pradesh Goods and Services Tax Rules, 2017, namely:—

(1) These rules may be called the Himachal Pradesh Goods and Services Tax (Eleventh Amendment) Rules, 2018.

(2) Save as otherwise provided, they shall come into force with retrospective effect from 18th April, 2018.

2. In the Himachal Pradesh Goods and Services Tax Rules, 2017, —

(i) in rule 89, for sub-rule (5), the following shall be substituted, namely:—

“(5) In the case of refund on account of inverted duty structure, refund of input tax credit shall be granted as per the following formula:—

Maximum Refund Amount = {(Turnover of inverted rated supply of goods and services) x Net ITC ÷ Adjusted Total Turnover} tax payable on such inverted rated supply of goods and services.

Explanation:—For the purposes of this sub-rule, the expressions —

- (a) “Net ITC” shall mean input tax credit availed on inputs during the relevant period other than the input tax credit availed for which refund is claimed under sub-rules (4A) or (4B) or both; and
- (b) “Adjusted Total turnover” shall have the same meaning as assigned to it in sub-rule (4).”;

(ii) for rule 97, the following rule shall be substituted, namely:—

“97. Consumer Welfare Fund.—(1) All amounts of State tax and income from investment along with other monies specified in section 57 of the Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017) shall be credited to the Fund:

Provided that an amount equivalent to fifty per cent of the amount of integrated tax determined under sub-section (5) of section 54 of the Himachal Pradesh Goods and Services Tax Act, 2017, read with section 20 of the Integrated Goods and Services Tax Act, 2017, shall be deposited in the Fund.

Provided further that an amount equivalent to fifty per cent of the amount of cess determined under sub-section (5) of section 54 read with section 11 of the Goods and Services Tax (Compensation to States) Act, 2017 (15 of 2017), shall be deposited in the Fund.

(2) Where any amount, having been credited to the Fund, is ordered or directed to be paid to any claimant by the proper officer, appellate authority or court, the same shall be paid from the Fund.

(3) Accounts of the Fund maintained by the Central Government shall be subject to audit by the Comptroller and Auditor General of India.

(4) The Government shall, by an order, constitute a Standing Committee (hereinafter referred to as the ‘Committee’) with a Chairman, a Vice-Chairman, a Member Secretary and such other members as it may deem fit and the Committee shall make recommendations for proper utilisation of the money credited to the Fund for welfare of the consumers.

(5) (a) The Committee shall meet as and when necessary, generally four times in a year;

(b) the Committee shall meet at such time and place as the Chairman, or in his absence, the Vice-Chairman of the Committee may deem fit;

(c) the meeting of the Committee shall be presided over by the Chairman, or in his absence, by the Vice-Chairman;

-
- (d) the meeting of the Committee shall be called, after giving at least ten days' notice in writing to every member;
- (e) the notice of the meeting of the Committee shall specify the place, date and hour of the meeting and shall contain statement of business to be transacted thereat;
- (f) no proceeding of the Committee shall be valid, unless it is presided over by the Chairman or Vice-Chairman and attended by a minimum of three other members.
- (6) The Committee shall have powers —
- (a) to require any applicant to get registered with any authority as the Central Government may specify;
- (b) to require any applicant to produce before it, or before a duly authorized officer of the Central Government or the State Government, as the case may be, such books, accounts, documents, instruments, or commodities in custody and control of the applicant, as may be necessary for proper evaluation of the application;
- (c) to require any applicant to allow entry and inspection of any premises, from which activities claimed to be for the welfare of consumers are stated to be carried on, to a duly authorised officer of the State Government, as the case may be;
- (d) to get the accounts of the applicants audited, for ensuring proper utilisation of the grant;
- (e) to require any applicant, in case of any default, or suppression of material information on his part, to refund in lump-sum along with accrued interest, the sanctioned grant to the Committee, and to be subject to prosecution under the Act;
- (f) to recover any sum due from any applicant in accordance with the provisions of the Act;
- (g) to require any applicant, or class of applicants to submit a periodical report, indicating proper utilisation of the grant;
- (h) to reject an application placed before it on account of factual inconsistency, or inaccuracy in material particulars;
- (i) to recommend minimum financial assistance, by way of grant to an applicant, having regard to his financial status, and importance and utility of the nature of activity under pursuit, after ensuring that the financial assistance provided shall not be misutilised;
- (j) to identify beneficial and safe sectors, where investments out of Fund may be made, and make recommendations, accordingly;

- (k) to relax the conditions required for the period of engagement in consumer welfare activities of an applicant;
 - (l) to make guidelines for the management, and administration of the Fund.
- (7) The Committee shall not consider an application, unless it has been inquired into, in material details and recommended for consideration accordingly, by the Member Secretary.
- (8) The Committee shall make recommendations:—
- (a) for making available grants to any applicant;
 - (b) for investment of the money available in the Fund;
 - (c) for making available grants (on selective basis) for reimbursing legal expenses incurred by a complainant, or class of complainants in a consumer dispute, after its final adjudication;
 - (d) for making available grants for any other purpose recommended by the Central Consumer Protection Council (as may be considered appropriate by the Committee);
 - (e) for making available up to 50% of the funds credited to the Fund each year, for publicity/ consumer awareness on GST, provided the availability of funds for consumer welfare activities of the Department of Consumer Affairs is not less than twenty five crore rupees per annum.

Explanation.—For the purposes of this rule,

- (a) 'applicant' means,
 - (i) the Central Government or State Government;
 - (ii) regulatory authorities or autonomous bodies constituted under an Act of Parliament or the Legislature of a State or Union Territory;
 - (iii) any agency or organization engaged in consumer welfare activities for a minimum period of three years, registered under the Companies Act, 2013 (18 of 2013) or under any other law for the time being in force;
 - (iv) village or mandal or samiti or samiti level co-operatives of consumers especially Women, Scheduled Castes and Scheduled Tribes;
 - (v) an educational or research institution incorporated by an Act of Parliament or the Legislature of a State or Union Territory in India or other educational institutions established by an Act of Parliament or declared to be deemed as a University under section 3 of the University Grants Commission Act, 1956 (3 of 1956) and which has consumers studies as part of its curriculum for a minimum period of three years; and
 - (vi) a complainant as defined under clause (b) of sub-section (1) of section 2 of the Consumer Protection Act, 1986 (68 of 1986), who applies for reimbursement

of legal expenses incurred by him in a case instituted by him in a consumer dispute redressal agency.

- (b) 'application' means an application in the form as specified by the Standing Committee from time to time;
- (c) 'Central Consumer Protection Council' means the Central Consumer Protection Council, established under sub-section (1) of section 4 of the Consumer Protection Act, 1986 (68 of 1986), for promotion and protection of rights of consumers;
- (d) 'Committee' means the Committee constituted under sub-rule (4);
- (e) 'consumer' has the same meaning as assigned to it in clause (d) of sub-section (1) of section 2 of the Consumer Protection Act, 1986 (68 of 1986), and includes consumer of goods on which central tax has been paid;
- (f) 'Fund' means the Consumer Welfare Fund established by the State Government under section 57 of the Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017);
- (g) 'proper officer' means the officer having the power under the Act to make an order that the whole or any part of the State tax is refundable;

(iii) in **FORM GST ITC-03**, after entry 5 (e), for the instruction against “***”, the following shall be substituted, namely:—

“*** The value of capital goods shall be the invoice value reduced by 1/60th per month or part thereof from the date of invoice”

(iv) after **FORM GSTR-8**, the following **FORM** shall be inserted, namely:—

“FORM GSTR-10

[See rule 81]

Final Return

1.	GSTIN	
2.	Legal name	
3.	Trade Name, if any	
4.	Address for future correspondence	
5.	Effective date of cancellation of registration (Date of closure of business or the date from which registration is to be cancelled)	
6.	Reference number of cancellation order	
7.	Date of cancellation order	

8. Details of inputs held in stock, inputs contained in semi-finished or finished goods held in stock, and capital goods/plant and machinery on which input tax credit is required to be reversed and paid back to Government

Sr. No.	GSTIN	Invoice/ Bill of Entry		Description of inputs held in stock, inputs contained in semi-finished or finished goods held in stock and capital goods/plant and machinery	Unit Quantity Code (UQC)	Qty.	Value (As adjusted by debit / credit note)	Input tax credit/ Tax payable (whichever is higher) (Rs.)			
		No.	Date					Central tax	State/ Union territory tax	Integrated tax	Cess
1	2	3	4	5	6	7	8	9	10	11	12
8 (a) Inputs held in stock (where invoice is available)											
8 (b) Inputs contained in semi-finished or finished goods held in stock (where invoice is available)											
8 (c) Capital goods/plant and machinery held in stock											
8 (d) Inputs held in stock or inputs as contained in semi-finished /finished goods held in stock (where invoice is not available)											

9. Amount of tax payable and paid (based on Table 8)

Sr. No.	Description	ITC reversible/ Tax payable	Tax paid along with application for cancellation of registration (GST REG-16)	Balance tax payable (3-4)	Amount paid through debit to electronic cash ledger	Amount paid through debit to electronic credit ledger			
						Central Tax	State/ Union territory Tax	Integrated Tax	Cess
1	2	3	4	5	6	7	8	9	10
1.	Central Tax								
2.	State/ Union territory Tax								

3.	Integrated Tax								
4.	Cess								

10. Interest, late fee payable and paid

Description	Amount payable	Amount Paid
1	2	3
(I) Interest on account of		
(a) Integrated Tax		

(b) Central Tax		
(c) State/Union territory Tax		
(d) Cess		
(II) Late fee		
(a) Central Tax		
(b) State/Union territory tax		

11. Verification

I hereby solemnly affirm and declare that the information given hereinabove is true and correct to the best of my knowledge and belief and nothing has been concealed therefrom.

Signature of authorized signatory_____

Name_____

Designation/Status_____

Date : dd/mm/yyyy

Instructions:

1. This form is not required to be filed by tax payers or persons who are registered as :—

- (i) Input Service Distributors;
- (ii) Persons paying tax under section 10;
- (iii) Non-resident taxable person;
- (iv) Persons required to deduct tax at source under section 51; and
- (v) Persons required to collect tax at source under section 52.

2. Details of stock of inputs, inputs contained in semi-finished or finished goods and stock of capital goods/plant and machinery on which input tax credit has been availed.

3. Following points need to be taken care of while providing details of stock at Sl. No.8:
- where the tax invoices related to the inputs held in stock or inputs contained in semi-finished or finished goods held in stock are not available, the registered person shall estimate the amount under sub-rule (3) of rule 44 based on prevailing market price of the goods;
 - in case of capital goods/ plant and machinery, the value should be the invoice value reduced by $1/60^{\text{th}}$ per month or part thereof from the date of invoice/purchase taking useful life as five years.
4. The details furnished in accordance with sub-rule (3) of rule 44 in the Table at Sl. No. 8 [against entry 8 (d)] shall be duly certified by a practicing chartered accountant or cost accountant. Copy of the certificate shall be uploaded while filing the details.”;
- (v) for **FORM GST DRC-07**, the following shall be substituted, namely:—

“FORM GST DRC-07

[See rule 142(5)]

Summary of the order

1. Details of order –

Order No. (b) Order date (c) Tax period -

2. Issues involved << drop down>> classification, valuation, rate of tax, suppression of turnover, excess ITC claimed, excess refund released, place of supply, others (specify).

3. Description of goods/services —

Sr. No.	HSN	Description

4. Details of demand

(Amount in Rs.)

Sr. No.	Tax rate	Turnover	Place of supply	Act	Tax/ Cess	Interest	Penalty	Others
1	2	3	4	5	6	7	8	9

Signature

Name

Designation ."

By order,

Sd/-

(JAGDHISH CHANDER SHARMA),
Principal Secretary (E&T).

आबकारी एवं कराधान विभाग

अधिसूचना सं० 37/2017—राज्य कर

शिमला—2, 29 सितम्बर, 2018

संख्या: ई.एक्स.एन.—एफ.(10)—28/2018.—हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश माल और सेवा कर अधिनियम, 2017 (2017 का 10) की धारा 54 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और हिमाचल प्रदेश माल और सेवा कर नियम, 2017 के नियम 96क के उपनियम (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए किसी ऐसे रजिस्ट्रीकृत व्यक्ति द्वारा, जिसका आशय एकीकृत कर का संदाय किए बिना निर्यात के लिए माल या सेवाओं के प्रदाय का है, बंधपत्र के स्थान पर परिवचन पत्र देने के लिए शर्तें और रक्षोपाय विनिर्दिष्ट करता है।—

- (i) ऐसे मामलों में, जहां अपवंचित कर की रकम दो सौ पचास लाख रुपये से अधिक है, तथा जिन्हें हिमाचल प्रदेश माल और सेवा कर अधिनियम, 2017 (2017 का 10) या एकीकृत माल और सेवा कर अधिनियम, 2017 (2017 का 13) या किसी प्रवृत्त विद्यमान विधि के अधीन किसी अपराध के लिए अभियोजित किया गया है, उन व्यक्तियों के सिवाय, ऐसे सभी व्यक्ति, जिनका आशय एकीकृत कर का संदाय किए बिना निर्यात के लिए माल या सेवाओं के प्रदाय का है, बंधपत्र के स्थान पर परिवचन पत्र देने के पात्र होंगे;
- (ii) किसी वित्तीय वर्ष के लिए, परिवचन पत्र रजिस्ट्रीकृत व्यक्ति के शीर्षनाम पर, दो प्रतियों में, हिमाचल प्रदेश माल और सेवा कर नियम, 2017 के नियम 96क के उपनियम 1 में निर्दिष्ट प्ररूप जीएटी आरएफडी-11 के उपाबंध में दिया जाएगा और यह कार्यरत भागीदार, प्रबंध निदेशक या कंपनी सचिव या स्वत्वधारी द्वारा या ऐसे कार्यरत भागीदार या ऐसी कंपनी के निदेशक बोर्ड या स्वत्वधारी समयक रूप से प्राधिकृत किसी व्यक्ति द्वारा निष्पादित किया जाएगा;
- (iii) वचनबंध पत्र विधिमान्य नहीं रहेगा यदि रजिस्ट्रीकृत व्यक्ति हिमाचल प्रदेश माल और सेवा कर नियम, 2017 के नियम 96क के उपनियम (1) के अधीन यथाविनिर्दिष्ट ब्याज सहित देय कर को उक्त उपनियम के खण्ड (क) और खण्ड (ख) में वर्णित अवधि के भीतर संदत्त करने में विफल रहता है और यह ऐसे कर और ब्याज को संदत्त करने के पश्चात् पुनः विधिमान्य हो जाएगा।

2. इस अधिसूचना के उपबंध, यथा आवश्यक परिवर्तनों सहित, किसी रजिस्ट्रीकृत व्यक्ति (जिसके अंतर्गत विशेष आर्थिक जोन विकासकर्ता या विशेष आर्थिक जोन इकाई भी है) द्वारा किसी विशेष आर्थिक जोन विकासकर्ता या विशेष आर्थिक जोन इकाई को एकीकृत कर का संदाय किए बिना किए गए माल या सेवाओं या दोनों के जीरो रेटेड प्रदाय के संबंध में लागू होंगे।

3. यह अधिसूचना भूतलक्षी प्रभाव अर्थात् तारीख 4 अक्टूबर, 2017 से प्रभावी होगी।

आदेश द्वारा,
हस्ताक्षरित/—
(जगदीश चन्द्र शर्मा),
प्रधान सचिव (आबकारी एवं कराधान)।

[Authoritative English text of this Department Notification No.EXN-F(10)- 28/2018 dated 29-09-2018 as required under clause (3) of Article 348 of the Constitution of India].

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION No. 37/2018-State Tax

Shimla-2, the 29th September, 2018

No. EXN-F(10)-28/2018.—In exercise of the powers conferred by section 54 and sub-section (3) of section 164 of the Himachal Pradesh Goods and Services Tax Act, 2017, and sub-rule (5) of rule 96A of the Himachal Pradesh Goods and Services Tax Rules, 2017, the Governor of Himachal Pradesh is pleased to specify conditions and safeguards for furnishing a Letter of Undertaking in place of a Bond by a registered person who intends to supply goods or services for export without payment of integrated tax.—

- (i) all registered persons who intend to supply goods or services for export without payment of integrated tax shall be eligible to furnish a Letter of Undertaking in place of a bond except those who have been prosecuted for any offence under the Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017) or the Integrated Goods and Services Tax Act, 2017 (13 of 2017) or any of the existing laws in force in a case where the amount of tax evaded exceeds two hundred and fifty lakh rupees;
- (ii) the Letter of Undertaking shall be furnished on the letterhead of the registered person, in duplicate, for a financial year in the annexure to FORM GST RFD-11 referred to in sub-rule (1) of rule 96A of the Himachal Pradesh Goods and Services Tax Rules, 2017 and it shall be executed by the working partner, the Managing Director or the Company Secretary or the proprietor or by a person duly authorized by such working partner or Board of Directors of such company or proprietor;
- (iii) the Letter of Undertaking shall cease to be valid if the registered person fails to pay the tax due along with interest, as specified under sub-rule (1) of rule 96A of Himachal Pradesh Goods and Services Tax Rules, 2017, within the period mentioned in clause (a) and clause (b) of the said sub-rule and it shall resume being valid after such tax and interest is paid.

2. The provisions of this notification shall *mutatis mutandis* apply in respect of zero-rated supply of goods or services or both made by a registered person (including a Special Economic Zone developer or Special Economic Zone unit) to a Special Economic Zone developer or Special Economic Zone unit without payment of integrated tax.

3. This notification shall come into force with retrospective effect from 04-10-2017.

By order,
Sd/-

(JAGDISH CHANDER SHARMA),
Principal Secretary (E&T).

आबकारी एवं कराधान विभाग

अधिसूचना सं० 24 / 2018—राज्य कर

शिमला-2, 29 सितम्बर, 2018

संख्या: ई.एक्स.एन.-एफ.(10)-28 / 2018.—राज्य कर का आयुक्त, हिमाचल प्रदेश माल और सेवा कर नियम, 2017 के नियम 83 के उपनियम (3) के साथ पठित हिमाचल प्रदेश माल और सेवा कर

अधिनियम, 2017 (2017 का 10) की धारा 164 और 48 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, परिषद् की सिफारिशों पर, राष्ट्रीय सीमा शुल्क, अप्रत्यक्ष कर और नार्कोटिक्स अकादमी, राजस्व विभाग, वित्त मन्त्रालय, भारत सरकार को, उक्त उपनियम के अनुसार परीक्षा संचालित करने के लिए प्राधिकारी के रूप में अधिसूचित करते हैं।

2. यह अधिसूचना भूतलक्षी प्रभाव अर्थात् 28 मई, 2018 से प्रभावी होगी।

आदेश द्वारा,
हस्ताक्षरित/—
(जगदीश चन्द्र शर्मा),
प्रधान सचिव (आबकारी एवं कराधान)।

[Authoritative English text of this Department Notification No. EXN-F(10)-28/2018 dated 29-09-2018 as required under clause (3) of Article 348 of the Constitution of India].

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION No. 24/2018-State Tax

Shimla-2, the 29th September, 2018

No. EXN-F(10)-28/2018.—In exercise of the powers conferred by sub-section (3) of section 164 and section 48 of the Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017) read with sub-rule (3) of rule 83 of the Himachal Pradesh Goods and Services Tax Rules, 2017, the Commissioner of the State Tax, on the recommendations of the Council, hereby notifies the National Academy of Customs, Indirect Taxes and Narcotics, Department of Revenue, Ministry of Finance, Government of India, as the authority to conduct the examination as per the said sub-rule.

2. This notification shall come into retrospective effect from 28th May, 2018.

By order,
Sd/-
(JAGDHISH CHANDER SHARMA),
Principal Secretary (E&T).

In the Court of Smt. Niraj Chandla (H.P.A.S), Marriage Officer-cum-Sub-Divisional Magistrate, Shimla (Urban)

In the matter of :

1. Sh. Anurag Garg aged about 51 years s/o Sh. R. C. Garg, r/o No. 608, GOs Mess, Police Headquarters Nigam Vihar, District Shimla, Himachal Pradesh (India).

2. Smt. Priya Garg aged about 45 years d/o Lt. Sh. V.K. Gupta, r/o No. 608, GOs Mess, Police Headquarters Nigam Vihar, District Shimla, Himachal Pradesh (India) . . Applicants.

Versus

General Public

Subject.—Proclamation for the registration of marriage under section 15 of Special Marriage Act, 1954.

Sh. Anurag Garg aged about 51 years s/o Sh. R. C. Garg, r/o No. 608, GOs Mess, Police Headquarters Nigam Vihar, District Shimla, Himachal Pradesh (India) and Smt. Priya Garg aged about 45 years d/o Lt. Sh. V.K. Gupta, r/o No. 608, GOs Mess, Police Headquarters Nigam Vihar, District Shimla, Himachal Pradesh (India) have filed an application alongwith affidavits before the court of undersigned on 28-09-2018 under section 15 of Special Marriage Act, 1954 that they had solemnized their marriage on 8th March, 1995 at Hotel Vasant Continental, Vasant Vihar, New Delhi and they are living as husband and wife since then, hence their marriage may be registered under Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding this marriage can file the objection personally or in writing before this court within 30 days from the date of publication of this notice in official gazette after that no objection will be entertained and marriage will be Registered accordingly.

Issued today 28th September, 2018 under my hand and seal of the court.

Seal.

NIRAJ CHANDLA (HPAS),
Sub-Divisional Magistrate,
Shimla (Urban), District Shimla.

न्यायालय श्री प्यारे लाल नेगी, सहायक समाहर्ता द्वितीय श्रेणी एवं नायब तहसीलदार, भू-व्यवस्था
वृत्त सराहं, जिला सिरमौर (हि0 प्र0)

मिसल नं0 : 01 / 2018

श्रीमती दयावंती पत्नी श्री खुशी राम, निवासी काहन, डाकघर बनाहकी सेर, तहसील पच्छाद, जिला
सिरमौर, हि0 प्र0 प्रार्थिया।

बनाम

राजेन्द्र कुमार पुत्र खुशी राम, निवासी काहन, डाकघर बनाहकी सेर, तहसील पच्छाद, जिला सिरमौर,
हि0 प्र0।

नोटिस बनाम आम जनता।

उपरोक्त प्रार्थिया ने इस न्यायालय में प्रार्थना-पत्र प्रस्तुत किया है कि उसका पुत्र श्री राजेन्द्र कुमार पुत्र खुशी राम वर्ष 1982 से लापता है तथा काफी प्रयास करने पर भी उनका अता-पता नहीं चल सका है। यह भी मालूम नहीं है कि वह जीवित है या नहीं। ग्राम पंचायत बनाहधिन्न, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश के परिवार रजिस्टर में राजेन्द्र कुमार के आगे वर्ष 1982 से लापता होने का इन्द्राज किया गया है। श्री राजेन्द्र की पुत्री ने भी अदालत में आकर ब्यान किया है कि श्री राजेन्द्र वर्ष 1982 से लापता है।

राजस्व अभिलेख में राजेन्द्र का नाम चला आ रहा है, जिससे प्रार्थिया तथा अन्य हिस्सादारान को राजस्व मामलों में असुविधा होती है तथा प्रार्थिया ने श्री राजेन्द्र की बरास्त का इन्तकाल तस्दीक करने हेतु प्रार्थना-पत्र दिया है।

अतः हर आम व खास को इस इश्तहार द्वारा सूचित किया जाता है कि यदि श्री राजेन्द्र जीवित हैं तो दिनांक 05-11-2018 तक अधोहस्ताक्षरी की अदालत में पेश हों अन्यथा मृत समझा जाएगा तथा यदि किसी को इस इन्तकाल को तस्दीक करने में किसी प्रकार का एतराज/आपत्ति हो तो वह दिनांक 05-11-2018 को व्यक्तिगत या अपने प्राधिकृत व्यक्ति के द्वारा अपना एतराज प्रस्तुत कर सकता है। उक्त तिथि के पश्चात् कोई उजर या एतराज काबिले समायत नहीं होगा तथा बरास्त के इन्तकाल को तस्दीक कर दिया जाएगा।

आज दिनांक 01-10-2018 को हमारे हस्ताक्षर व मोहर अदालत सहित जारी हुआ।

मोहर।

प्यारे लाल नेगी,
सहायक समाहर्ता द्वितीय श्रेणी एवं
नायब तहसीलदार, भू-व्यवस्था वृत्त सराहं,
जिला सिरमौर (हि0 प्र0)।

**ब अदालत श्री दौलत राम चौधरी, सहायक समाहर्ता द्वितीय वर्ग, रामशहर, तहसील रामशहर,
जिला सोलन, हिमाचल प्रदेश**

श्री दिलवर व गफूर पुत्रगण श्री असमैल पुत्र श्री रूलिया राम, ग्राम बड़याख, परगना चम्बा, तहसील रामशहर, जिला सोलन, हिमाचल प्रदेश।
.. वादी।

1. श्री सादर उर्फ सादक पुत्र असमैल पुत्र श्री रूलिया राम, ग्राम बड़याख, परगना चम्बा, तहसील रामशहर, जिला सोलन, हिमाचल प्रदेश।

2. अन्य जनता

.. प्रतिवादी।

केस नं0	नाम गांव मय नं0 हदबस्त	नम्बर इन्तकाल	तारीख दर्ज
1.	बड़याख	228	20-1-2018

तसदीक करने इन्तकाल नं0 228, मौजा बड़याख, किस्त मकफूद-उल-खबरी सादर उर्फ सादक पुत्र असमैल पुत्र श्री रूलिया राम, ग्राम बड़याख, परगना चम्बा, तहसील रामशहर, जिला सोलन, हि0 प्र0।

सर्वसाधारण को सूचित किया जाता है कि सादर उर्फ सादक पुत्र असमैल, गांव बड़याख लगभग 35-40 वर्षों से गुम हो गया है। जो कि आज दिन तक बावजूद तलाश करने पर न मिला है। उसकी रिपोर्ट गुमशुदगी पुलिस थाना रामशहर में भी दर्ज करवाई गई है। जिसके बारे आज तक कोई भी अता-पता नहीं चला कि वह जिन्दा या मृतक है। उसके नाम गांव बड़याख, तहसील रामशहर, जिला सोलन में मलकीयती भूमि दर्ज है। वादी ने पटवार वृत्त डोली में गांव बड़याख में इन्तकाल मकफूद-उल-खबरी दर्ज करवाया है जिसके तसदीक करने बारे इश्तहार जारी किया जाता है कि अगर सादर उर्फ सादक जिन्दा है तो उसे पढ़कर अपना उजर व एतराज इश्तहार जारी होने के एक माह के भीतर दायर करें ताकि अदालत में उसकी सुनवाई हो सके। हाजिसक असालतन व वकालतन हाजिर होकर पैरवी व जवाब देही कर लें तथा आम जनता में किसी को भी कोई एतराज हो तो वह भी अपना उजर व एतराज एक माह के भीतर पेश करें अन्यथा एक माह के बाद एक तरफा कार्यवाही अमल में लाकर इन्तकाल वहक जायज वारसान तसदीक कर दिया जायेगा।

आज दिनांक 29-9-2018 को यह इशतहार मेरे हस्ताक्षर व मोहर सहित जारी किया गया।

मोहर।

दौलत राम चौधरी,
सहायक समाहर्ता द्वितीय वर्ग, रामशहर,
तहसील रामशहर, जिला सोलन, हिमाचल प्रदेश।